

Worcestershire
Regulatory Services

Supporting and protecting you

RECORDS MANAGEMENT POLICY
And
RETENTION AND DISPOSAL SCHEDULE

Date: 23rd February 2016

INTRODUCTION

Worcestershire Regulatory Services has a statutory duty to make arrangements for the safekeeping and eventual disposal of its records. The primary function of this Policy is to provide a framework for the management of all types of records, with regard to their preservation, retention and destruction

A record is any recorded information regardless of medium including paper, microform, electronic, audio-visual and record copies of publications.

As an organisation, Worcestershire Regulatory Services recognises that its records are an important key resource to its effective operation and accountability. Therefore careful management is required and this Policy provides a structure and sets out Worcestershire Regulatory Services' responsibilities and processes in regard to the management and retention of its records.

The Retention Schedule is a guide to all the records we create and an instruction as to when these records should be destroyed or permanently preserved. This schedule sets out the retention periods; that is the length of time a record must be retained before it is destroyed.

Worcestershire Regulatory Services will ensure that information is not kept longer than is necessary and will retain the minimum amount of information that it requires to carry out its' statutory functions and the provision of services. The suggested retention periods should be taken to be a guide based on best practice, and therefore followed for all records

Worcestershire Regulatory Services is hosted by Bromsgrove District council and will, in the main, follow Bromsgrove's policies and processes to support service delivery. However, there will be times where, due to the nature of the activities being undertaken Worcestershire Regulatory Services will need to adopt its own policy that will complement the host's arrangements. This is one of those occasions.

PURPOSE

The purpose of this Policy is to ensure that necessary records and documents are adequately protected and maintained and that records that are no longer needed by Worcestershire Regulatory Services or are of no value are discarded at the proper time and in the correct manner. This Policy is also for the purpose of aiding employees of Worcestershire Regulatory Services in understanding their obligations in regard to managing their records.

AIMS AND OBJECTIVES

1. To retain important documents for reference and future use;
2. Delete documents that are no longer necessary for the proper functioning of Worcestershire Regulatory Services
3. Organise important documents for efficient retrieval
4. Ensure that all staff know which documents should be retained, the length of their retention, means of storage, and when and how they should be destroyed
5. To ensure compliance with legislative requirements concerning proper management of records including Freedom of Information Act 2000, Data Protection Act 1998, and Environmental Information Regulations 2004
6. All records are clearly marked with title, reference and index numbers and where necessary security marked.

7. Ensure all staff are trained and understand their record management responsibilities including their obligations with regard to Freedom of Information and Data Protection.
8. To ensure that high confidentiality, quality and availability standards of information are maintained.
9. Prevent the premature destruction of records that need to be retained for a specified period to satisfy legal, financial and other requirements of public administration.

DEFINITION OF RECORDS AND DOCUMENTS

This policy is relevant to records which are electronic, paper or records which have been transferred to another format such as microfiche. The records can take many forms and includes, but is not limited to, the following:

- Hard copy data printed or written on paper
- Data stored electronically
- Communications sent by post/courier or using electronic means
- Stored tape, video or disc
- Recorded Speech
- GIS
- Desktop Applications
- Intranet and Public Website

STANDARD OPERATING PROCEDURE (SOP)

There are some records that do not need to be kept at all. "The Standard Operating Procedure" defines types of records that can be routinely destroyed in the normal course of business. SOP usually applies to information that is duplicated, unimportant or only of short-term facilitative value. Unimportant records or information include:

- 'with compliments' slips
- catalogues
- telephone message slips
- non-acceptance of invitations
- trivial email messages or notes that are not related to Worcestershire Regulatory Services business
- out-of-date distribution lists

SOP should not be applied to records or information that can be used as evidence to prove something has happened.

RETENTION AND DISPOSAL

Retention periods must be determined and recorded for all records in accordance with the Retention Schedule attached. This will be posted on the Council's intranet and website for staff use and public information respectively. This is a controlled document which will be reviewed annually by SRW

Retention periods also apply to electronic records, including e-mail

At the end of the retention period, the record must be assessed to determine whether it is necessary to retain it for a further period.

Once it has been determined a record is no longer required, it must be securely disposed of in accordance with the disposal procedure specified for that particular type of record: ie:

- All archived files will be transferred and stored at the Corporate Information Management Unit (CIMU) at County Hall. Once a file has been transferred, the file's Uniform record will be updated and when the CIMU receipt has been received this will also be linked to the relevant record.
- Emails – It is good practice all sent emails should be saved in “sent items” mailbox and the original email should be included in the reply to that email. ALL IMPORTANT EMAILS SHOULD BE STORED IN THE RECORDS MANAGEMENT SYSTEM. ALL OTHER EMAILS IN IN-BOXES AND SENT ITEMS BOXES SHOULD BE AUTOMATICALLY DELETED WHEN THEY ARE SIX MONTHS OLD, IF NOT EARLIER.
- All PACE tapes are retained for a minimum of two years with the exception that prosecution tapes are retained for 6 months from the date of completion of the prosecution process
- Disposal procedures for paper records can include shredding; use of the confidential waste disposal system; and/or contractual arrangements with offsite storage facilities and the disposal of electronic storage. Records must not be placed into waste bins other than those specifically for confidential waste for disposal
- All prosecution exhibits are to be retained for 28 days from completion of the prosecution process

Whenever there is the possibility of litigation, the records and information that are likely to be affected should not be amended or disposed of until the threat of litigation has been removed.

WHERE A REQUEST FOR ACCESS TO THE RECORDS HAS BEEN REFUSED

Where there has been a refusal of a request for information under the Freedom of Information Act 2000 or other legislation which, if granted, would have led to that record being disclosed, the record must be retained until the end of the period in which an appeal can be made, or the end of the appeals procedure, whichever is the later. These records will be maintained by the Host authority.

ADDITIONS/AMENDMENTS TO THE SCHEDULE

The record keeping requirements will change over time and it will be necessary to update this Schedule to reflect this. The Disposal Schedule will be reviewed and updated where necessary.

RECORDS OF HISTORIC OR INTRINSIC VALUE

In most cases this consideration will not be applicable. However, it is certainly possible that some documents currently held may be of historic interest and/or even have some monetary value. Where it is suspected that the document falls within this description appropriate enquires should always be made before taking any further action. The Information Manager of the Host Authority should be contacted for advice and guidance in the first instance.

Even if the document is of historical or monetary value, disposal rather than retention by the Council, may well be the appropriate option – but in the form of transfer to, say, the County Records office; or even sale to an external body.

RETENTION SCHEDULE

Function Description	Retention Action
Abusive or violent persons	Retain whilst issue remains current only
Access to information requests – Freedom of Information, Subject Access requests, Environmental Information requests, Data Protection	3 years unless held in same form elsewhere
Accident reports and investigations	6 years from closure of investigation (children 25 years)
Air pollution/monitoring	Permanent
Animal Health premises files	6 years from closure
Annual budget – final accounts	6 years, unless held in same form elsewhere
Asbestos – investigations, sampling results and reports	40 Years from last action
Assessment of the quality, efficiency, or performance	2 years from closure
Budget reporting actual vs. planned revenue and expenditure	Destroy after next year's budget has been adopted
Burials	Permanent
Business plans	3 years from closure
Committee reports/agendas/minutes	Permanent, background papers 1 year
Complaints against the service	6 years
Complaints and enquiries, investigations, Property record forms/certificates of destruction	6 years
Contaminated land files, maps, register, investigations, remediation	Permanent
Contracts	6 years from completion of contract
Computer back up records	1 year
Developing annual budget:	2 years after budget adopted
Drainage maps, reports technical data	Permanent
Emergency planning - plan	Destroy when superseded
Emergency planning - tests	10 years after closure
Equipment inspection/calibration records	6 years after disposal of the equipment
Expenditure	3years after the conclusion of the transaction
Explosives licence application	2 years
Food inspection reports and records	6 years after inspection
Health and Safety inspection reports and records	6 years after inspection
Industrial permitted processes control/permits	Permanent
Infectious diseases	Permanent
Licensing sites for the holding or use of toxic or	Permanent. Offer to Archivist. Transfer to place of deposit after administrative use is concluded - 60

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hazardous substances. (including petroleum, agricultural chemical products or herbicides)	years after registration or entitlement lapses.
Media releases/press cuttings	3 years
Meeting reports/agendas/minutes - internal	3 years
Non-automatic weighing instruments (NAWI) certificates and test reports	6 years
NAWI Annual Reports	6 years
Notices - objections, appeals, extensions, completion. Enforcement activity notices: Notice of powers and rights Search with consent	6 years after the matter is concluded
Notifiable animal disease outbreak action log	Permanent by County Archivist
Nuisance investigation, associated monitoring, sampling, inspection records	6 years from last action.
Out of hours records	Retain whilst issue remains current only
Officer Personal note books	6 years from last action
Personal licenses	Permanent
Poisons Master Register	3 years
Petroleum licence applications/licences, etc	Permanent
Premises licenses	6 years after expiry of licence or last action
Project reports	3 years
Prosecution- case files	6 years from investigation complete, major litigation offer to archivist for review
Public consultation –Minor Significant	1 year from closure 5 years from closure
Quality records: New legislation action sheet Audit records Non-conformance reports	1 year 3 years 3 years
Radiation – investigations, monitoring (e.g. radon) and reports	50 Years from last action or at age 75 years whichever is the greater
Receipt books	2 years
Registration, certification and licensing – charitable collections, lottery registrations, skin piercing, animal movement,	6 years after registration/certification/licence lapses
RIPA including Communications Data Applications and Directed Surveillance	3 years or until decision not to prosecute 6 months from date of conviction or end of sentence
Risk assessments	3 years after last assessment
Sampling pads	6 months
Statutory registers	Permanent - offer to archivist unless specific legislation requires otherwise
Statutory returns/returns to govt.	Permanent, unless held in same form elsewhere
Surveys and questionnaires	Retain whilst relevant to current needs
Taxi drivers, vehicles, operators applications	6 years after expiry of licence or last action
Temporary Event Notices	1 year
Tenders	1 year from letting contract

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Trader Register declarations and privacy statements	Currency of membership of Trader Register or 3 years after termination
Training/qualification records	During currency of employment
Water supplies – inspections/sample results	Permanent whilst supply in use